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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**



UNITED STATES OF AMERICA,

Plaintiff,

vs.

NICHOLAS BICKLE,

Defendant.

Case No: 2:10-cv-1985-JCM-PAL

**GOVERNMENT'S MOTION TO
WITHDRAW ITS EMERGENCY
APPEAL OF SOUTHERN DISTRICT
OF CALIFORNIA MAGISTRATE
JUDGE GALLO'S ORDER
RELEASING DEFENDANT ON BOND**

COMES NOW the United States of America, by and through DANIEL G. BOGDEN, United States Attorney, and Drew Smith, Assistant U.S. Attorney, District of Nevada, and seeks permission of the court to withdraw its November 15, 2010, appeal of Southern District of California Magistrate Judge William V. Gallo's November 12, 2010, order releasing defendant NICHOLAS BICKLE on conditions pending his appearance in the District of Nevada.

District of Nevada Magistrate Judge Peggy Leen has previously set an initial appearance date for defendant Bickle in Nevada for November 23, 2010, at 3:00. Undersigned counsel was advised by the United States Marshals Service for the Southern District of California that the defendant would not be able to make that appearance date if he were to remain in custody of the Marshals and be transferred here to Nevada in their custody.

It is the desire of the government to have defendant Bickle appear here in Nevada as soon as possible in order to keep this case moving forward at the same pace as his

1 co-defendants, and for that reason the government is willing to withdraw its appeal of
2 Magistrate Judge Gallo's release order and allow the defendant to transport himself to Nevada
3 for his November 23, 2010, appearance. The government's willingness to do so is of course
4 with the understanding that the defendant would spend the four (4) days between now and then
5 under the conditions previously imposed by Magistrate Judge Gallo, specifically that he be
6 confined to a military base until he leaves for Las Vegas, and that he be escorted to Las Vegas
7 by military personnel.

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9 DATED this 19^h day of November, 2010.

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11 Respectfully submitted,
12 DANIEL G. BOGDEN
United States Attorney

13 /s/ Drew Smith
14 DREW SMITH
Assistant United States Attorney
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA



UNITED STATES OF AMERICA,

Plaintiff,

vs.

NICHOLAS BICKLE,

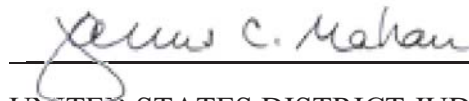
Defendant.

Case No: 2:10-cv-1985-JCM-PAL

**ORDER ON GOVERNMENT'S
MOTION TO WITHDRAW
ITS EMERGENCY APPEAL
OF SOUTHERN DISTRICT
OF CALIFORNIA MAGISTRATE
JUDGE GALLO'S ORDER
RELEASING DEFENDANT ON BOND**

Based on the representations of the government, and good cause appearing therefore, IT
IS HEREBY ORDERED that the government's motion to withdraw its November 15, 2010,
Emergency Appeal of Southern District of California Magistrate Judge William Gallo's Order
Releasing NICHOLAS BICKLE on Bond is granted.

DATED this 21st day of January, 2011.


UNITED STATES DISTRICT JUDGE